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**FACSIMILE TRANSMISSION**

DATE: September 18, 2006

TIME IN:  
TIME OUT:

TO:	Name	Fax Number	Phone Number
	Commissioner of Patents	571-273-8300	

FROM: Laura Zeman PHONE: 602.382.6377

RE: U.S. Serial No. 10/710,991

## MESSAGE:

Petition Under 37 C.F.R. 1.28 (2 pgs.)

 Thank you.  
 Laura Zeman

Please confirm receipt of this facsimile.

ORIGINAL DOCUMENT: Will not be sent NUMBER OF PAGES (including Cover): 3 

CONFIRMATION NO.: CLIENT MATTER NO.: 41821.0937

PLEASE RETURN TO: Kim Brown 16S21 PERSONAL FAX: No

REQUESTOR: Laura Zeman DIRECT LINE: 602.382.6377

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 OUR FACSIMILE NUMBER IS 602.382.6070.**

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## CERTIFICATE OF TRANSMISSION PURSUANT TO 37 C.F.R. § 1.6(d)

SEP 18 2006

I hereby certify that this correspondence, along with any accompanying documents, pursuant to 37 C.F.R. § 1.6(d), are being sent via facsimile to the U.S. Patent and Trademark Office to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Dated: 9/18/06

By: Kim L. Brown  
Signature of Person Depositing Facsimile

IN THE UNITED STATES PATENT  
AND TRADEMARK OFFICE

-- PATENT --

Applicants:	Kemmons A. Tubbs Karl F. Gruber Randall W. Nelson	Docket No.:	41821.0937
Serial No.:	10/710,991	Confirmation No.:	4990
Filing Date:	August 16, 2004	Examiner:	Ernest G. Therkorn
Title:	AN INTEGRATED HIGH THROUGHPUT SYSTEM FOR THE ANALYSIS OF BIOMOLECULES	Art Unit:	1723

PETITION UNDER 37 C.F.R. 1.28

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Honorable Commissioner:

Under 37 C.F.R. 1.28, Intrinsic Bioprobes, Inc., the owner by assignment of U.S. Utility Patent Application No. 10/710,991, hereby requests that the United States Patent and Trademark Office refund the below-noted fees representing the difference between certain fees paid at a large entity rate and a corresponding small entity rate.

Application Serial No. 10/710,991

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On August 16, 2004, a number of divisional patent applications were filed electronically on behalf of Intrinsic Bioprosbes, Inc., including the above-referenced application. Intrinsic Bioprosbes, Inc. was incorrectly noted as a large entity on these applications. Applicant has recently paid the Issue Fees for these applications at the large entity rate and would request that the overpayment be credited to Snell & Wilmer's Deposit Account Number 19-2814. Applicant is a Small Entity Under 37 C.F.R. §1.27.

**FEES PAID**

The fees below were paid on June 16, 2006 at the large entity rate and should have been paid at the small entity rate:

<u>Fee Type</u>	<u>Amount Actually Paid</u>	<u>Small Entity Fee</u>	<u>Difference</u>
Issue Fee	\$1400	\$700	\$700
		<b>TOTAL</b>	<b>\$700</b>

We hereby authorize The Commissioner to credit this overpayment to Account No. 19-2814 for which purpose a duplicate copy of this sheet is attached..

Respectfully submitted,

Date: Sept 18, 2006By: John H. Platt 47863 for  
Laura J. Zeman  
Reg. No. 36,078

**SNELL & WILMER L.L.P.**  
One Arizona Center  
400 East Van Buren  
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